

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KERVIN JEANTY,

Plaintiff,

-against-

UNITED PARCEL SERVICE; CAROL B.  
TOME; JOHN DOE (1),

Defendants.

21-CV-8312 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated November 5, 2021, the Court directed Plaintiff to file an amended complaint within thirty days. That order specified that failure to comply would result in dismissal of the complaint. The Court thereafter extended the time for Plaintiff to file an amended complaint. Plaintiff has not filed an amended complaint. Accordingly, the complaint, filed *in forma pauperis* (IFP) under 28 U.S.C. § 1915(a)(1), is dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim on which relief may be granted.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppededge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to mail a copy of this order to Plaintiff at his address of record and at the following address: Kervin Jeanty, #2021-01-01460, Orange County Jail, 100 Wells Farm Road, Goshen, NY 10024, and note service on the docket.

SO ORDERED.

Dated: February 22, 2022  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge